

Message Text

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ACTION NEA-10

INFO OCT-01 EUR-12 IO-10 ISO-00 DHA-02 ORM-01 SCA-01 VO-03

INSE-00 L-03 SS-15 NSC-05 CIAE-00 INR-07 NSAE-00

DODE-00 FBIE-00 SY-05 PRS-01 SSO-00 NSCE-00 INRE-00

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O 171540Z SEP 75 ZFF-3

FM AMEMBASSY ATHENS

TO SECSTATE WASHDC IMMEDIATE 518

AMEMBASSY CAIRO IMMEDIATE

INFO AMEMBASSY PRAGUE IMMEDIATE

USMISSION GENEVA IMMEDIATE

C O N F I D E N T I A L ATHENS 7137

CAIRO ALSO PASS ALEXANDRIA

E.O. 11652: GDS

TAGS: SREF

SUBJECT: REFUGEE ASSISTANCE: CASE OF JAROSLAV TOMCIK

REF: A. CAIRO 9053 B. STATE 214307

1. IN ACCORDANCE WITH THE REQUEST CONTAINED IN PARAGRAPH 5 OF REF A, THE EMBASSY ALERTED THE OFFICE OF THE UNHCR REPRESENTATIVE IN ATHENS TO MEET TOMCIK ON SEPTEMBER 13 AND TO MAKE THE NECESSARY ARRANGEMENTS FOR HIS PROCESSING. THE UNHCR APPARENTLY DID MEET TOMCIK AND PLACED HIM IN A LOCAL HOTEL PENDING HIS PROCESSING AT THE LAVRION REFUGEE CENTER.

2. THE NEXT CONTACT THE EMBASSY HAD WITH THE CASE WAS ON THE AFTERNOON OF SEPTEMBER 17 WHEN TOMCIK CAME TO THE EMBASSY AND ASKED FOR THE IMMIGRATION OFFICE. HE STATED THAT HE DOES NOT WISH TO ENTER THE LAVRION CAMP FOR ANY EXTENDED PERIOD OF TIME AFTER THE TERMINATION OF HIS SEVEN-DAY GREEK
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TRANSIT VISA. HE EXPRESSED THE VIEW THAT HE WOULD PREFER

TO RETURN TO CZECHOSLOVAKIA THAN TO REMAIN IN CAMP FOR A LENGTHY PERIOD. (PROCESSING AT LAVRION NORMALLY TAKES FOUR MONTHS, WE UNDERSTAND.) TOMCIK WAS ADVISED TO RETURN TO THE EMBASSY ON FRIDAY MORNING AND THAT IN THE INTERIM WE WOULD SEND A CABLE IN AN EFFORT TO RESOLVE HIS CASE.

3. IN CONVERSATIONS WITH REPRESENTATIVES OF THE OFFICE OF THE UNHCR AND OF THE INTERNATIONAL CATHOLIC MIGRATION COMMISSION (ICMC), WE LEARNED THAT TOMCIK CLAIMED HE HAD BEEN ADVISED BY EMBASSY CAIRO THAT UPON ARRIVAL IN ATHENS HE WOULD "RECEIVE A VISA FOR THE U.S. IMMEDIATELY." HE ALSO CLAIMED HIS ICRC TRAVEL DOCUMENT WAS VALID FOR TRAVEL TO THE U.S. TOMCIK REFUSED ASSISTANCE FROM THE ICMC. MOREOVER, HE REFUSES TO APPLY FOR POLITICAL ASYLUM IN GREECE, THE NECESSARY FIRST STEP FOR ASSISTANCE BY THE UNHCR.

4. FOR CAIRO AND ALEXANDRIA: WOULD APPRECIATE ANY ADDITIONAL INFORMATION ABOUT TOMCIK, OR WHAT HE WAS TOLD REGARDING THE TIMING FOR HIS TRAVEL TO AND HIS ENTRY INTO THE U.S., YOU CAN PROVIDE.

5. FOR THE DEPARTMENT: INS OFFICER-IN-CHARGE ATHENS NOTED THAT TOMCIK HAD STATED TO THE INTERVIEWING OFFICER IN ALEXANDRIA THAT HE HAD NOT REPEAT NOT BEEN SUBJECTED TO ANY PERSECUTION FOR ANY REASON. THIS WOULD APPEAR TO PRECLUDE HIS MEETING CRITERIA UNDER SECTION 203 (A) (7). HOWEVER, PARAGRAPH 2 OF REF B STATES THAT TOMCIK IS ELIGIBLE TO APPLY FOR POLITICAL ASYLUM IN THE U.S. AND CAN APPLY FOR CONDITIONAL ENTRY UNDER SECTION 203 (A) (7) IN ATHENS. THE DEPARTMENT IS REQUESTED TO CLARIFY THIS APPARENT DISCREPANCY. WOULD APPRECIATE REPLY NO LATER THAN OPENING BUSINESS SEPTEMBER 19.

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